







## WASHINGTON, D. C.

## THE CHRISTIANA TREASON TRIALS.

FIRST DAY.

The United States circuit court at Philadelphia, Judges Grier and Kline, presiding, met on Monday (Nov. 29) for the purpose of examining the cases of alleged treason, arising out of the disturbances which took place recently at a place called Christians, in Lancaster county, during the progress of which Mr. Gorsuch was killed and his nephew badly wounded.

A number of jurymen were called to be excused on various grounds; because they were not here at the hearing. These applications were so numerous that Judge Grier remarked: "It seems as if the whole country is becoming deaf—an epidemic, I am afraid, is prevailing."

District Attorney Ashmead stated that he proposed to proceed with the trial of Castner Hanaway to-morrow morning.

Judge Grier said: "I have a case of importance which I do not wish to hurry them, but I wanted to get through one case in two weeks, so that he could be in Washington by that time."

Thaddeus Stevens, Esq., replied that one case he hoped, would be finished in half that time. Up in his county they hang a man in three days, and he trusted that the gentlemen would not tell for a longer time.

SECOND DAY.

Tuesday, November 30.—The United States circuit court—present, Judges Grier and Kline. Mr. Ashmead moved for the arraignment of the prisoner, Castner Hanaway.

John M. Read, Esq., of the party of the defense, stated at this time that the counsel considered it their duty to make some suggestions in reference to the intimation of the District Attorney that he would make an array of jurors. They did not desire to take exceptions to the selection of the jurors in the present case, but thought that the order of the court, in summoning the jury—103 in number—was not in accordance with the laws of the State, which were sanctioned by act of Congress. The counsel, however, waived all objection.

Mr. Ashmead stated, that if Mr. Read thought the United States had any particular favor for the array, he was perfectly willing that it should be quashed. In reference to alleged informality, the court could summon as many jurors as the particular nature of the case demand. The court said that, there was no other matter before it than to arraign the prisoners, the arraignment of the prisoners should be waived.

The clerk of the court, in due form, arraigned the prisoner.

The prisoner pleaded "Not Guilty."

The empanelling of the jury was then proceeded with, and Solomon Newman called.

Mr. Ludlow stated that the Government proposed to ask each juror, who is not so used under the law, that the prosecution claimed to do, a series of questions, which he submitted to the court, as follows:

1. Have you any conscientious scruples upon the subject of capital punishment, so that you would not, because you conscientiously could not, find a verdict of treason, death being the punishment, though the evidence required such a verdict?

2. Have you expressed or formed any opinion relative to the master now to be tried? Are you sensible of any prejudice or bias therein?

3. Have you formed an opinion upon the law of the United States, known as the Fugitive Slave Law of 1850, is unconstitutional, so that you cannot convict a person indicted under it for that reason, if the facts alleged in the indictment are true? Do you hold the statute to be constitutional?

4. Have you formed or expressed an opinion as to the guilt or innocence of the accused, or of the other persons alleged to have participated with him in the offence charged against him in the indictment?

Mr. Read said he had never seen or heard of the trial of the negroes, and they were called upon to speak upon them. He objected to them, that the questions had been put in a nest, when they could, in his opinion, have been reduced to a few simple inquiries.

To the first question, as to whether the jury would or would not find a verdict of guilty of treason, if the testimony warranted such a finding, the negroes, being dead, was not objected to, if put in legal form.

The court took the list of questions and amended them. A number of jurymen were called, challenged, and set aside.

The court adjourned.

Wednesday, November 30.—The court met this morning at 10 o'clock, and resumed the preparatory proceedings in the Christians Treason cases.

On motion of the United States District Attorney, Robert J. Brent, Attorney General of Maryland, was admitted to practice as an attorney of this court, and took the usual oath. A number of jurymen were called and set aside.

Michael H. Jenks, David Cockley, James Penny, Ferro Brink, set aside; and Isaac Myers, not present, fined \$100.

James Cowden was accepted as a juror, which completed the panel of twelve jurors.

The following is a list of their names: Robert E. Read, John C. Read, William Peter Martin, Robert Smith, John Jenks, Wm. Hopkins, Ephraim Fenton, Solomon Jones, and Jonathan Wainwright.

The twelfth juror was not sworn, because the jury could not separate if all were sworn. To-morrow being Thanksgiving day, the judge adjourned till Friday morning.

FOURTH DAY.

Friday, November 29.—The United States Circuit Court—present, Judges Grier and Kline, opposite the bar. He detailed the events which preceded the visit of the special marshal, Henry H. Kline, and the Messrs. Gorsuch, of Baltimore county, Maryland, to Christians, in search of the slaves of the elder Mr. Gorsuch, and all the circumstances attending that visit and its melancholy and deplorable consequences.

Mr. Ashmead said he would show our important fact by the testimony he would offer, to which he would ask the special attention of the jury. It was this—that the defendant was, if not the prime mover in the outrages at Christians, the chief promoter at the time; that, before his arrival at the scene, the blacks assembled were discouraged, and asked a lawyer. After he came on the ground, they raised a shout and precipitated the catastrophe now the subject of investigation.

Mr. Ashmead said that if he made out the facts referred to by him, by the testimony, he would insist upon a conviction of the defendant of the crime of high treason. He then gave the definition of this crime, as set forth in the 3d article of the Constitution of the United States, and the great legal provisions, on the subject of "fugitives from labor," by the United States and the State of Pennsylvania.

George T. Ashmead, Esq., for the prosecution, submitted the record of the United States Circuit Court in the circuit, of October 6, 1845, that Edward D. Ingraham, Esq., was then appointed a commissioner by the court. These being no opposition, the record was admitted and read.

Henry H. Kline was called.

John M. Read, Esq., for the defense, asked that the court should make an order, before this witness was heard, to exclude the other witnesses from the room during the examination, and the process to tell their own stories in their own way.

John W. Ashmead, Esq., said he had no objection to this order, except that some of the friends of the late Mr. Gorsuch were present, and desired to remain.

Mr. Ashmead—The rule will apply, I suppose, to the witnesses on both sides.

Mr. Read—Certainly.

Mr. Kline was then recalled, and papers shown to him. These are the warrants placed in my hands on the 9th of September last. Several persons were to meet me at Penningtonville, and I was to arrest them. The names were Mr. Gorsuch and his son and nephew, Mr. John Agen, and Mr. Tully. I went to Westchester and got a horse and vehicle. We broke down, and I did not meet the persons named at Penningtonville. I met Samuel Williams at Penningtonville on the morning of

the 10th of September. I went into the town and asked about two horse thieves. Williams said my master said your horse thieves are gone—you are too late. I started then for the Gap. Williams followed us about a mile and a half. I stopped at the first tavern at the Gap, and called up the landlord. I inquired for horse thieves. The landlord said two men had gone by some time before. We were on to the Gap, and said to him: "The Gap is about 3 o'clock in the morning of the 10th. We left about 1 o'clock, and went back to Parkersburg. A man by the name of Gallagher was with me. We met Agen and Tully at Parkersburg. They said Mr. Gorsuch had gone to Sodbury."

About 9 o'clock in the morning I went to the Gap, and said to the landlord: "I am of the party, and he said he was sorry for it to tell him Agen and Tully were going back to Philadelphia. Agen was constable of Third ward, Southwark. I made no arrangement with him; Mr. Gorsuch had; so with Mr. Tully. I told Mr. Gorsuch that we had better send the party in different ways, and to prevent Agen and Tully from going, we were divided. I said to the landlord: "I am of the party, and he said to me: "We are free; we could not tell whether the horses were ours." The landlord said: "You had better go home, and not come here to make arrests, you can't do that."

Then went to the Gap, and walked some distance down the road, and towards Christiansburg. The guide Old Mr. Gorsuch and the guide walked ahead. We went about a mile, and then stopped. Mr. Gorsuch proposed to divide the party. I objected, and said we wanted all. More guide. The guide then took us back through a corn field. We went on to a creek, where we sat down and ate something. I told them we had better not stop, as it was dark. We were about a mile ahead until we came near Parker's house. Mr. Ashmead showed a plan here to the witness. It was a map of the others. When we got within forty yards of the house I saw a black man. The moment he saw me he took to his heels, and I after him. I喊ed to him: "Castner Hanaway." He went to the bars and said he could not tell whether the horses were ours. Then shot; he fell, and I thought was dead; I saw my uncle's son, Dickinson Gorsuch, with a pistol in the attitude of shooting; I think he had the report of his pistol; guns were fired in every direction; I made my escape as well as I could; I saw Hanaway near the creek; I ran up to him; Joshua Gorsuch overtook him and said to him there were two at Parker's house, and he asked him to turn back to inform the colored people. Witness got a bullet, had it loaded, and went to the scene of action.

Samuel Hanson, a negro boy, testified to seeing James Scarlet, one of the white prisoners, come to his father's house about sunrise on the morning of the murder on horseback. Scarlet told him there were two at Parker's house, he went to him and said he was an officer, and had warning to shoot. He was a little afraid, but he could do nothing for us; it was not a lawful act. Joshua Gorsuch, Dickinson Gorsuch, Nicholas Hutchings, Nathan Nelson, Miller Mott, and John Mott, were severally examined, but no new facts were elicited.

eppe; the missiles were kept up for some time before the warrant was read; after we found we could not effect an entrance to the house, the warrants were read; Kline called for the proprietor; the warrants were then taken out and read for Josh and Nelson; they were read by the Marshal; he told them he was not a sheriff; they were read and the marshal called up in this way; the Marshal said he had come to arrest them, and that he would do it; he then wrote an order for more men; the blacks up stairs asked for time to consider; during this time the prisoner rode up; the Marshal told him the case, and asked him to assist, which he positively refused to do; he handed the warrant to the Marshal; he told them he was not a sheriff; they were read and the marshal called up in this way; the Marshal said he had come to arrest them, and that he would do it; he then wrote an order for more men; the blacks up stairs asked for time to consider; during this time the prisoner rode up; the Marshal told him the case, and asked him to assist, which he positively refused to do; 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